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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/810,591

03/29/2004

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EXAMINER

RAY, AMIT K

ART UNIT

PAPER NUMBER

2623

MAIL DATE

DELIVERY MODE

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

**Application No.**

10/810,591

**Applicant(s)**

ATAD ET AL.

**Examiner**

Amit K. Ray

**Art Unit**

2623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____                                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date ____   | 6) <input type="checkbox"/> Other: ____                           |

Art Unit: 2623

## **DETAILED ACTION**

### **Claim Rejections - 35 USC § 102**

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

**A person shall be entitled to a patent unless –**

**(e) the invention was described in-**  
**(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent; or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for the purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English.**

2. **Claims 1- 14 are rejected under 35 U.S.C. 102(e) as being anticipated by Connelly, U. S. Pat 7,020,893.**

Re. Claim 1, Connelly discloses a head end installation (Fig. 4A, Box 126B) for multi-channel video feed broadcasting (Col.7, lines 62-63) to a plurality of user TV receiver installations (Fig.4A, client systems 105A, 107A, 109A), comprising:

Art Unit: 2623

(a) a transmitter for transmitting said multi-channel video feed to said user installations (Fig.4A, Ground Station 132 transmits uplink signal 128 via satellite 130 to clients 105A, 107A, and 109A), and

(b) a router for receiving a return link from a core IP network and regional terrestrial networks, said user TV receiver installations forming nodes of said terrestrial networks, said return link allowing user interactions to be received by said installation and thereby supported (Fig.1C, showing two-way communication via Network 113 between the Server 103 and Client installations 105, 107, and 109; Col.5, lines 18-22, showing Network 113 to include core IP network and regional terrestrial networks such as LAN, Intranet, or the like; Fig.2 and Col.5, line 64 to Col.6, line1, disclosing server 103 having a router as communications interface 313 for two-way link via network 113).

Re. Claim 2, the head end installation of claim 1, wherein said transmitter is adapted for transmitting via a satellite relay (Fig.4A, Broadcast Server 103A transmits via ground station 132 and satellite relay 130).

Re. Claim 3, the head end installation of claim 1, wherein said transmitter is adapted for terrestrial transmission (Fig.1C, showing terrestrial network 113 communication link with Server 103).

Re. Claim 4, the head end installation of claim 1, comprising an interactive server for managing interactive services to a given user (Fig.1C, shows two-way communication for interactive services between client 105 and server 103; Col.7, lines 1-29)

Art Unit: 2623

Re. Claim 5, the head end installation of claim 1, wherein said router is further adapted for sending a forward link via said core IP network and regional terrestrial networks (same as Claim element 1(b)).

Re. Claim 6, the head end installation of claim 5, comprising WAN management functionality for managing said return link and said forward link over a wide area network (WAN) transmission medium (Fig.1C and Col.5, lines 18-22).

Claim 7, the head end installation of claim 6, wherein said WAN is provided over a cable infrastructure (Col.6, lines 2-5, disclosing wires, cables, infrastructure).

Re. Claim 8, the head end installation of claim 1, comprising an interactive server for managing interactive services to a given user, wherein said router is associated with said interactive server to modify data sent to an individual user in accordance with data received from said individual user via said return link (Fig.1C, shows two-way communication for interactive services between client 105 and server 103. Connelly previously disclosed interface machine 301 i.e. sever (Fig.2) to have router (Col.5, line 66 to Col.6, line1), which is notoriously known to modify data for interactive communications)

Re. Claim 9, the head end installation of claim 5, comprising an interactive server for managing interactive services to a given user, wherein said router is associated with said interactive server to modify data sent in said forward link to

Art Unit: 2623

an individual user in accordance with data received from said individual user via said return link (same as claim 4 and claim 8).

Re. Claim 10, a method of operation of a head end installation for multi-channel video feed broadcasting to a plurality of user TV receiver installations (same as claim 1), comprising:

(a) transmitting said multi-channel video feed to said user installations (same as Claim element 1(a)), and

(b) receiving a return link from a core IP network and regional terrestrial networks, said user TV receiver installations forming nodes of said terrestrial networks (same as claim element 1(b)),

(c) via said return link receiving user interactions (Col.7, lines 14-19), and

(d) monitoring said received user interactions in relation to individual users (Col.7, lines 4-14).

Claim 11, the head end operation method of claim 10, comprising using said received user interactions to manage interactive services to a given user (Fig.1C, showing interactive services between server and a given user; Col.7, lines 14-29)

Claim 12, the head end operation method of claim 10, further comprising sending a forward link via said core IP network and regional terrestrial networks, is rejected on the same grounds as Claim 5.

Art Unit: 2623

Re. Claim 13, the head end operation method of claim 10, comprising managing interactive services to a given user (same as Claim 11), by modifying data sent to an individual user in accordance with data received from said individual user via said return link (Col.7, lines 14-29).

Claim 14, the head end operation method of claim 13, comprising managing interactive services to a given user, by modifying data sent in said forward link to an individual user in accordance with data received from said individual user via said return link, is rejected on the same grounds as Claim 13.

### **Contact**

3. Any enquiry concerning this communication from the examiner should be directed to Amit Ray whose telephone number is 571-272-6339. The examiner can normally be reached on Monday-Friday, alternate Friday off, 7:30 AM –5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Grant can be reached on 571-272-7294. The fax phone number for the organization where the application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR)) system. Statute information for published applications may be obtained from either PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on accessing

Art Unit: 2623

the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



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